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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/032,326

12/31/2001

Yukio Sawajiri

SAWAJIRI=2

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10/28/2005

BROWDY AND NEIMARK, P.L.L.C.  
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WASHINGTON, DC 20001-5303

EXAMINER

LUGO, CARLOS

ART UNIT

PAPER NUMBER

3676

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/032,326

Applicant(s)

SAWAJIRI ET AL.

Examiner

Carlos Lugo

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) 11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                                                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### **DETAILED ACTION**

1. This Office Action is in response to applicant's amendment filed on September 16, 2005.

#### ***Drawings***

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the longitudinal axis of the metal base and the front connecting part, as claimed in claim 1, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-10 are rejected** under 35 U.S.C. 103(a) as being unpatentable over US Pat No 6,155,618 to Ichinose in view of GB Pat No 2,336,178 to Mark and further in view of US Pat No 6,042,160 to Hamada et al (Hamada).

Regarding claims 1 and 2, Ichinose discloses a striker comprising a longitudinal plate metal base (4) fixed to a vehicle body and defining a longitudinal axis and an U-shaped metal engaging member (5).

The engaging member includes a first leg part (5A), a second leg part (5B), parallel to the first leg part, and a front connecting part (5C), which connects a front end of the first leg part with a front end of the second leg part. The leg parts define longitudinal lengths and the front connecting part defines a longitudinal axis.

The longitudinal axis of the front connecting part is perpendicular to the longitudinal axis of the metal base. The longitudinal lengths of the leg parts are perpendicular to the plane of the metal base.

Each leg part has a rear end which projects on a rear side of the base through a mounting hole on the base (Figures 6 and 7). Front and rear caulking flange have a larger diameter than the diameter of the mounting hole so as to engage a front and a rear side of the base respectively (Figures 6 and 7).

The first leg part has, at a front side portion, a latch engaging part, which is engageable with a latch on the vehicle door latch device (10).

However, Ichinose fails to disclose that at the rear side portion of the front leg part, the leg part has a reinforcing large diameter part that has a larger diameter

than the one defined at the latch engaging part and that the latch has a recess that engage the latch engaging part.

Mark teaches that it is well known in the art to have a striker (10) that has first and second legs parts, wherein the leg parts (18 and 20), at the rear side portion, defines a reinforcing large diameter part (Figures 1 and 2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a reinforcing large diameter part, as taught by Mark, into a device as described by Ichinose, in order to give more strength to the striker and to increase the durability of the striker.

As to the fact that the latch has a recess that engages the latch engaging part of the first leg part, Ichinose discloses the connection between a latch and the striker. Ichinose does not illustrate or discloses that the latch has a recess that engages the first leg. Although it is obvious that the latch (10) presented by Ichinose has a recess that receive the leg part of the striker, Hamada is provided to confirm and to teach that it is well known in the art to have a latch member (14) that has a recess that engages a leg part of a striker. Therefore, it is obvious to have a latch with a recess that engages a striker leg part.

As to claim 3, Ichinose illustrates that the latch engaging part has the same diameter as the front connecting part.

As to claim 4, Ichinose, as modified by Mark, discloses that between the reinforcing large diameter part and the latch engaging part is disposed a tapered part.

As to claims 5,7 and 8, Ichinose, as modified by Mark, illustrates that the length of the reinforced large diameter part is 25% or more of the length of the first leg part.

As to claim 6, Ichinose, as modified by Mark, illustrates that the latch engaging part has the same diameter as the front connecting part and that between the reinforcing large diameter part and the latch engaging part is disposed a tapered part.

As to claims 9 and 10, Ichinose, as modified by Mark, discloses that the reinforced large diameter part has a length of twice or more the length of the rear caulking flange, in the longitudinal direction of the first leg part.

#### ***Response to Arguments***

5. Applicant's arguments filed on September 16, 2005 have been fully considered but they are not persuasive.

Regarding applicant's arguments that is not proper to provide the teachings that Mark and Hamada teach into the device described by Ichinose (Page 8 Line 13), the arguments are not persuasive.

Specifically, the applicant argues that Mark fails to disclose different limitations. As seen in Page 10, the applicant argues that first and second leg parts of Mark are not shown or taught to have the same shape; that the first and second leg parts of Mark are not shown or taught to be perpendicular to the plane of its metal base which greatly increases the cost of manufacturing the Mark striker; that Mark latch engages bolt engaging portion 22 and not either limb 18 or 20; and that the limbs 18 and 20 of

Mark are bent in relation to base 12 and there is nothing whatever in the language of Mark which teaches or suggests otherwise. While the Mark limbs could be made parallel and straight as indicated in Mark, they still are engaged at an angle to base 12 as shown in the drawings.

First, Ichinose already discloses all the limitations that the applicant is arguing. Ichinose only fails to disclose the difference in diameter in the legs. Mark is only used to show that it is well known in the art of latches to have that difference in diameter in order to give more strength to the striker and to increase the durability of the striker. Therefore, the arguments are not persuasive and the rejection is maintained.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 3676

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number 571-272-7058.

The examiner can normally be reached on 9-6pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Glessner can be reached on 571-272-6843. The fax phone number for the organization where this application or proceeding is assigned is 571-272-7049.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

*C.L.*

Carlos Lugo  
AU 3676

October 20, 2005



**BRIAN E. GLESSNER**  
**SUPERVISORY PATENT EXAMINER**